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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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02/06/2002

Eric Verschueren

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11/13/2003

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EXAMINER

FUNK, STEPHEN R

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 11/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/957,509

Applicant(s)

SASAKI ET AL.

Examiner

Stephen R Funk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 - 3, 7, and 9 - 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vermeersch et al. (EP 770,497) in view of Love (US 4,718,340).

Vermeersch et al. teach the method as recited with exception of removing the ink accepting areas by laser ablation. Note the support (column 5 lines 34 - 38), base layer containing a crosslinked hydrophilic binder (column 5 line 22 - column 6 line 20) and a metal oxide (column 6 lines 21 - 39), ink accepting areas (column 7 line 8 - column 8 line 16), and making a printing master by image-wise exposure to heat or light (column 9 lines 15 - 37) of Vermeersch et al.

Love teaches the desirability of removing the ink accepting areas on a support by laser ablation and reusing the support. See column 3 lines 40 - 47, column 13 lines 20 - 52, the paragraph bridging columns 14 and 15, and, in particular, column 16 lines 16 - 47 of Love. It would have been obvious to one of ordinary skill in the art to provide the method of Vermeersch et al. with the step of removing the ink accepting areas by laser ablation in view of Love so as to save costs by reusing the support.

With respect to claim 3 see column 7 line 8 - column 8 line 16 of Vermeersch et al.

With respect to claim 7 see column 6 line 34 of Vermeersch et al.

With respect to claims 9 and 10 see column 5 lines 34 - 38 of Vermeersch et al.

With respect to claims 11 and 12 neither Vermeersch et al. or Love specifically teach reusing the support at least 5 times. However, in view of the teachings of Love to reuse the support it would have been obvious to one of ordinary skill in the art through routine experimentation to reuse the support of Vermeersch et al., as modified by Love, at least 5 times to maximize the cost savings.

Claims 4 - 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vermeersch et al. in view of Love as applied to the claims above, and further in view of Lewis (US 5,704,291). Love does not teach a vacuum device or the type of laser for ablating the ink accepting areas. Lewis teaches the conventionality of providing a vacuum device (column 7 lines 59 - 67) and an infrared pulsed laser (column 2 lines 10 - 29) when ablating ink accepting areas. It would have been obvious to one of ordinary skill in the art to provide the method of Vermeersch et al., as modified by Love, with a vacuum device and an infrared pulsed laser in view of Lewis so as to prevent debris from interfering with the laser beams and providing efficient ablation of the ink accepting areas, respectively.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vermeersch et al. and Love as applied to claims 1 - 3, 7, and 9 - 12 above, and further in view of Kita et al. (EP 1,072,402). Vermeersch et al. do not teach that the base layer further comprises a hydroxide of the metal. Kita et al. teach a crosslinked hydrophilic comprising an oxide or hydroxide of titanium. See page 14 lines 50 - 55 of Kita et al., for example. It would have been obvious to one of ordinary skill in the art to provide the method of Vermeersch et al., as modified by Love, with an oxide and hydroxide of the metal in view of Kita et al. teaching that the layer may contain a complex of two or more of these agents.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note, in particular, paragraphs [0020] - [0022] of Jentzsch.

Applicant's arguments filed September 22, 2003 have been fully considered but they are not persuasive. Applicant argues that the ink accepting areas of Vermeersch et al. could not be erased with a laser since the imaging material is non-ablating. However, it is not apparent how the imaging material disclosed by applicant can be ablated by laser but the imaging material of Vermeersch et al. cannot when both applicant and Vermeersch et al. teach utilizing the same imaging materials. It is apparent though that the laser ablation step cannot be the same as the laser exposure step. But note that Love teaches in column 16 lines 16 - 35 that the erasing energy may be somewhat higher than the imaging energy in order to sufficiently erase the ink accepting areas. In view of this teaching by Love it would have been obvious to increase the laser energy to erase the ink accepting areas of Vermeersch et al. that were produced by lower laser energy.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

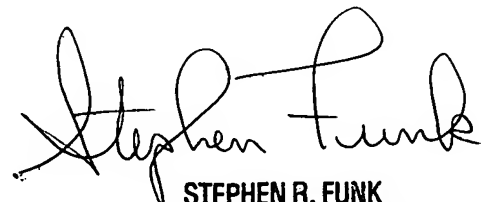
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen R. Funk whose telephone number is (703) 308-0982. The examiner can normally be reached from 7:30am to 6:00pm, except Wednesdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Hirshfeld, can be reached on (703) 305-6619.

The fax phone number for official papers is (703) 872-9306. Upon consulting with the examiner *unofficial* papers only may be faxed directly to the examiner at (703) 746-4393.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

SRF
November 7, 2003



STEPHEN R. FUNK
PRIMARY EXAMINER